THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 6679 of 2007

Date:14-08-2007

Between:

M/s Sri Raja Taxi Service, Visakhapatnam

.. PETITIONER

AND

The Oil and Natural Gas Corporation Limited, New Delhi and another

..

RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents in not opening the price bid of the petitioner covered by tender No.RA/MMJ/SS/TPT/SC-08/06-07/K16MCO6003 on 02.04.2007 along with other tenderers in spite of the technical bid of the petitioner being cleared, as illegal and arbitrary.

Heard the learned counsel appearing for the petitioner and the respondents.

This Court by order, dated 05.04.2007 directed the respondents to open the price bid of the petitioner covered by tender notification along with other tenderers.

Learned counsel for the petitioner submits that the price bid was not opened and the tender notification was not at all considered.

On the other hand, the learned counsel for the respondents submits that the said tender notification itself has been cancelled with the approval of the competent authority and the fresh tenders shall be invited to meet the work requirement.

In view of the aforesaid statement, I am of the opinion that the respondents cannot finalise the tenders of any of the persons pursuant to the aforesaid tender notification. But, however, it is open for the respondents to call for fresh tenders from the petitioner and others.

I am not inclined to express any opinion with regard to the legality or the validity of the action on the part of the respondents in canceling the tender notification. Therefore, it is open for the petitioner to question the cancellation of the tender notification and also to participate in the fresh tenders.

With the aforesaid observations, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:14.08.2007.
ccm